GOVERNMENT OF INDIA
LAW , JUSTICE AND COMPANY AFFAIRS
LOK SABHA

STARRED QUESTION NO:444
ANSWERED ON:23.08.2001
EXPENSIVE JUSTICE
ABDUL RASHID SHAHEEN

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) Whether dalits, backwards and poor people are deprived of justice due to expensive and cumbersome legal system in the country ;

(b) if so, the reaction of the Government thereto ; and (

(c) the steps taken by the Government to provide speedy and less expensive justice to these sections of people ?

Answer

MINISTER OF LAW, JUSTICE & COMPANY AFFAIRS AND SHIPPING (SHRI ARUN JAITLEY)

(a) to (c) A Statement is laid on the Table of the House.

Statement in reply to Lok Sabha Starred Question No. 444 to be answered on 23.8.01.

(a) & (b) No, Sir. In order to provide cheaper justice to the poor persons, provision of legal aid have been made under the Legal Services Authorities Act, 1987. Under the provisions of Section 12 of the Legal Services Authorities Act, 1987, persons belonging to weaker sections of the society such as Scheduled Castes, Scheduled Tribes, Women/Child, mentally ill and disabled persons, any person in custody and all other persons who are earning less then Rs. 25,000/- per annum, if the case is before a court other than the Supreme Court, and less than Rs. 50,000/- if the case is before the Supreme Court are entitled to receive free legal services.Under the Legal Services Authorities Act, 1987, as amended, Legal Services Authorities have been constituted in States to achieve the on-going objectives of providing free and competent legal services to the weaker sections of the society, to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities and to organize Lok Adalats to secure that the operation of the legal system promotes justice on a basis of equal opportunity. Progress and status of the schemes framed under the said Act are assessed from time to time. The Central Authority constituted under Section 3 of the said Act is taking steps to establish vibrant legal aid programmes such as promotion of legal literacy, setting up of legal aid clinics in universities and law colleges, training of para-legals, and holding of legal aid camps and Lok Adalats. The National Legal Services Authority is also formulating policies and schemes to achieve the aims and objects of the Act.

(c) Various steps have been taken by the Government for the speedy disposal of both civil and criminal cases. These include amendment of the Civil Procedure Code and the code of Criminal Procedure, increase in the number of posts of Judges/Judicial Officers, establishment of Special Courts/Tribunals, Computerization of courts and adoption of alternatiave modes of dispute resolution, such as, arbitration and conciliation. Lok Adalats have been given a statutory base as supplementary forum for resolution of disputes.
Amendment of procedural law is a continuous process. Two Bills namely the Code of Criminal Procedure (Amendment) Bill, 1994 and the code of Civil Procedure (Amendment) Bill, 2000 have been introduced in Parliament and are pending before Parliament for consideration. The Government has recently appointed a Committee under the Chairmanship of Shri Justice V.S. Malimath, to suggest measures for revamping the Criminal Justice System.

Government has sanctioned a scheme involving an amount of Rs. 502.90 crore for creation of 1734 Fast Track Courts for expeditious disposal of long pending sessions cases and cases involving under trials in jails, on priority. The scheme is in operation with effect from April, 2001.

A pilot project for the computerization and networking of all courts in the four metropolitan cities of Delhi, Mumbai, Kolkata & Chennai is being taken up in the year 2001-2002 to serve as a model for other courts in the country.